

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Wells Fargo Bank Indiana, N.A.,

Case No. 3:07 CV 3174

Plaintiff,

MEMORANDUM OPINION  
AND ORDER

-vs-

JUDGE JACK ZOUHARY

Victoria Smith, et al.,

Defendants.

The Court has reviewed the Amended Report and Recommendation of the Magistrate Judge (Doc No. 24) filed April 11, 2008. Under the relevant statute (28 U.S.C. § 636(b)(1)(C) (1982)):

Within ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

In this case, the ten-day period has elapsed and no objections have been filed. The failure to file written objections constitutes a waiver of a *de novo* determination by the district court of issues covered in the report. *United States v. Sullivan*, 431 F.3d 976, 984 (2005).

The Court adopts the Magistrate Judge's Amended Report and Recommendation (Doc. No. 24) granting the Motion for Summary Judgment and Default Judgment (Doc. No. 20) and approves the proposed Decree in Foreclosure (Doc. No. 20-3) and Judgment Entry (Doc. No. 20-4) filed simultaneously with this Order.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U. S. DISTRICT JUDGE

April 30, 2008